

HOUSE BILL No. 1143

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-32-2-4.5.

Synopsis: Prosecuting attorney jurisdiction over state matters. Requires the prosecution of cases involving misuse of state funds to be tried in a county with presumptive venue. Creates an exception if the prosecuting attorney in a county with presumptive venue declines to file charges.

Effective: July 1, 2003.

Brown C

January 7, 2003, read first time and referred to Committee on Courts and Criminal Code.

C
o
p
y



First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1143

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-32-2-4.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 4.5. (a) As used in this section, "presumptive venue"**
4 **means a county in which a person (as defined in IC 4-4-10.9-22) or**
5 **eligible recipient (as defined in IC 4-30-17-2):**

6 **(1) expends state funds; or**

7 **(2) establishes a deposit account that receives state funds.**

8 **(b) As used in this section, "state funds" means funds that are:**

9 **(1) deposited in; or**

10 **(2) disbursed from;**

11 **a fund administered by the treasurer of state.**

12 **(c) Except as provided in subsection (d), a person who commits:**

13 **(1) an offense involving improper use;**

14 **(2) conversion; or**

15 **(3) theft;**

16 **of state funds shall be tried in a county that has presumptive venue.**

17 **(d) A person may be tried for an offense described in subsection**



C
o
p
y

- 1 (c) in a county that does not have presumptive venue if:
2 (1) venue can be established as otherwise required by this
3 chapter; and
4 (2) the prosecuting attorney for each county with presumptive
5 venue declines to file an information or indictment.
6 A declination under subdivision (2) must be in writing and signed
7 by the prosecuting attorney.

C
o
p
y

